

## **2013 DRAFTING REQUEST**

### **Assembly Amendment (AA-AB490)**

Received: **11/6/2013** Received By: **pkahler**  
Wanted: **Today** Same as LRB:  
For: **Joe Sanfelippo (608) 266-0620** By/Representing: **drafter and Brian Larson, leg co**  
May Contact: Drafter: **pkahler**  
Subject: **Dom. Rel. - marriage** Addl. Drafters:  
**Medical Assistance** Extra Copies:

Submit via email: **YES**  
Requester's email: **Rep.Sanfelippo@legis.wisconsin.gov**  
Carbon copy (CC) to: **Brian.Larson@legis.wisconsin.gov**

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#### **Pre Topic:**

No specific pre topic given

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#### **Topic:**

Technical corrections to except estate recovery from prohibitions on property that may be accessed by creditors at death of spouse

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#### **Instructions:**

See attached

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#### **Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	pkahler 11/6/2013	jdye 11/6/2013		_____			
/1			rschluet 11/6/2013	_____	lparisi 11/6/2013	lparisi 11/6/2013	

FE Sent For:

<END>

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Vers. Drafted Reviewed Typed Proofed Submitted Jacketed Required

/? pkahler 1 11/6 jld jd 11/6/13

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<END>



State of Wisconsin  
2013 - 2014 LEGISLATURE



LRBa1155/

PK  
jld

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

ASSEMBLY AMENDMENT,  
TO ASSEMBLY BILL 490

to pay  
D-note

1 At the locations indicated, amend the bill as follows:

2 1. Page 177, line 2: after that line insert:

3 "SECTION 334c. 859.18 (4) (a) 1. of the statutes is amended to read:

4 859.18 (4) (a) 1. Survivorship marital property, except as provided in s. ss. 46.27

5 (7g), 49.496, 49.682, 49.849 and 766.60 (5) (b) and (c).

History: 1985 a. 37; 1989 a. 331; 1991 a. 30

6 SECTION 334e. 859.18 (4) (a) 2. of the statutes is amended to read:

7 859.18 (4) (a) 2. Joint Except as provided in ss. 46.27 (7g), 49.496, 49.682,

8 and 49.849, joint tenancy property in which the decedent spouse was a tenant, subject to

9 any judgment lien on which execution was issued before the spouse's death.

History: 1985 a. 37; 1989 a. 331; 1991 a. 30

10 SECTION 334g. 859.18 (4) (a) 3. of the statutes is amended to read:

1 859.18 (4) (a) 3. ~~Deferred~~ Except as provided in ss. 46.27 (7g), 49.496, 49.682,  
2 and 49.849, deferred employment benefits arising from the decedent spouse's  
3 employment.

History: 1985 a. 37; 1989 a. 331; 1991 a. 301.

4 **SECTION 334i.** 859.18 (4) (a) 4. of the statutes is amended to read:

5 859.18 (4) (a) 4. Proceeds Except as provided in ss. 46.27 (7g), 49.496, 49.682,  
6 and 49.849, proceeds of a life insurance policy insuring the life of the decedent spouse,  
7 if the proceeds are not payable to the decedent's estate and not assigned to the  
8 creditor as security or payable to the creditor." (•)

History: 1985 a. 37; 1989 a. 331; 1991 a. 301.

9 **2.** Page 181, line 20: delete "and 766.55 (2) (bm)" and substitute "766.55 (2)  
10 (bm), and 859.18 (4) (a) 1., 2., 3., and 4." ✓

11 **3.** Page 182, line 11: after "766.55 (2) (bm)," insert "859.18 (4) (a) 1., 2., 3., and  
12 4.,". ✓

13 (END)

D - note

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

date

LRBa1155/5dn

PJK:.....

JLd

These are technical modifications that Brian Larson and I both believe should be made to harmonize s. 859.18 (4) (a)✓with the new estate recovery provisions.

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**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRBa1155/1dn  
PJK:jld:rs

November 6, 2013

These are technical modifications that Brian Larson and I both believe should be made to harmonize s. 859.18 (4) (a) with the new estate recovery provisions.

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